



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 18, 1998

Ms. E. Cary Grace
Assistant City Attorney
City of Houston
P.O. Box 1562
Houston, Texas 77251-1562

OR98-0467

Dear Ms. Grace:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 113121.

The City of Houston (the "city") received a request for a certain offense report. You assert that the requested information is excepted from required public release based on section 552.108 of the Government Code. However, as the coverage of Government Code section 552.101 is broader than that of section 552.108 in this instance, this office will raise section 552.101 for the city. *See* Open Records Decision No. 455 (1987) (attorney general will raise section 552.101 on behalf of governmental body since improper release of confidential information constitutes misdemeanor).

Section 552.101 of the Government Code excepts from required public disclosure information that is made confidential by law, including information that is made confidential by statute. Section 58.007(c) states that "law enforcement records and files concerning a child may not be disclosed to the public." Accordingly, we conclude that the city must not release the requested report to the requestor based on section 552.101 of the Government Code in conjunction with section 58.007(c) of the Family Code.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, reading "Kay Hastings", is positioned above the typed name.

Kay Hastings
Assistant Attorney General
Open Records Division

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Ref.: ID# 113121

Enclosures: Submitted documents